

08/05 '04 17:15 NO.242 02/03

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: LEE, YO-HONG  
Serial No: 10/627,721  
Filing Date: 07/28/2004  
Title: "Pedometer for detecting vibrations in the motion direction"  
Art Unit: 2816  
Examiner: Margaret R Wambach

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**DECLARATION UNDER 37 CFR SECTION 1.132**

Sir,

Yo-Hong Lee, the applicant herein, makes the following declaration:

1. I am generally familiar with the state of the art in the pedometer field including, in particular, with the prior art pace counting devices that are described in the Background of the Invention section of the application herein.
2. I have reviewed Japanese Published Application P2003-156508A. This is an example of a type of prior art pedometer with which I am familiar, and which is described in the Background of the Invention section of the application herein.
3. In particular, I note the embodiment shown in Figure 4 of the Japanese Application. In this embodiment, two vibration detectors are positioned on a printed circuit board, at right angles to each other. In addition, each of the vibration detectors is coupled at a right angle to the printed circuit board, which has the effect of requiring a relatively large sized main body for the pedometer, as shown in Figure 2.
4. This configuration is an example of the one that is described at page 3 of the specification herein, lines 19-24, which describes a prior art pedometer having "two vibration detectors orthogonally disposed to each other." As noted in the specification, such prior art pedometers "usually have a large physical size."

08/05 '04 17:16 NO.242 03/03

5. In contrast to the configuration shown in the cited Japanese Application, the vibration detector of the present invention is flush with the printed circuit board to which it is mounted. This creates a relatively low-profile main body (see, e.g., Figure 1), and also positions the vibration detector so that it is orthogonal to the direction of movement. In the configuration shown in the Japanese Application, the vibration detectors are not orthogonal to the direction of movement.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this Application or any patent issued thereon.

Date: August 05 2004Signed: 

Yo-Hong Lee